

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

TAKEDA GMBH, ASTRazeneca
PHARMACEUTICALS, LP,
ASTRAZENECA UK LIMITED,

Plaintiffs,

v. // CIVIL ACTION NO. 1:15CV93
(Judge Keeley)

MYLAN PHARMACEUTICALS INC.,

Defendant.

FIRST ORDER AND NOTICE REGARDING DISCOVERY AND SCHEDULING

Pursuant to Fed.R.Civ.P. 16(b) and 26(f) and Local Rules of Civil Procedure ("LR") 16.01 and 26.01, the Court **ORDERS** that:

INITIAL PLANNING MEETING:	September 21, 2015
REPORT FILING DATE:	October 5, 2015
SCHEDULING CONFERENCE DATE:	Monday, October 19, 2015
SCHEDULING CONFERENCE TIME:	4:00 P.M.
INITIAL DISCOVERY DISCLOSURES	
DUE DATE:	October 21, 2015

1. **INITIAL PLANNING MEETING:** Pursuant to Fed.R.Civ.P. 16 and 26(f) and LR 16.01(b), parties to this action shall meet in person or by telephone on or before **September 21, 2015**. At this meeting, the parties shall discuss all matters required by Fed.R.Civ.P. 16 and 26(f) and LR 16.01(b). The parties shall also consider the benefits of early mediation and advise the Court in their report

TAKEDA GMBH, ET AL. v. MYLAN PHARMACEUTICALS

1:15CV93

FIRST ORDER AND NOTICE REGARDING DISCOVERY AND SCHEDULING

whether they wish the Court to schedule the matter for early mediation.

2. **MEETING REPORT AND PROPOSED DISCOVERY PLAN:** Pursuant to Fed.R.Civ.P. 26(f) and LR 16.01(c), the parties shall submit to this Court a written report on the results of the initial discovery meeting on or before **October 5, 2015**. This report shall include the parties' report on those matters set forth in LR 16.01(b) and (c) and the parties' discovery plan as required by Fed.R.Civ.P. 26(f). The parties may refer to Form 52 of the Federal Rules of Civil Procedure for an example of a report on a planning meeting. However, the parties should be certain to supplement Form 52 with LR 16.01(b) and (c) disclosures. The parties' report on their meeting shall be considered by this Court as advisory only. Parties and counsel are subject to sanctions as set forth in LR 37.01 for failure to participate in good faith in the development and submission of a meeting report and proposed discovery plan.

3. **SCHEDULING CONFERENCE/SCHEDULING ORDER:** Upon receipt of the meeting report and proposed discovery plan, this Court **WILL CONDUCT** a scheduling conference at the **Clarksburg, West Virginia** point of holding court on **Monday, October 19, 2015 at 4:00 P.M.** See Fed.R.Civ.P. 16(b) and LR 16.01(d). (Please note that the Court

TAKEDA GMBH, ET AL. v. MYLAN PHARMACEUTICALS

1:15CV93

FIRST ORDER AND NOTICE REGARDING DISCOVERY AND SCHEDULING

conducts scheduling conferences in all cases.) Counsel may request the Court to conduct the scheduling conference by telephone. If the scheduling conference is to be by telephone, the Court directs lead counsel for the plaintiff to initiate the conference call, which shall include all parties wishing to participate by phone or alternatively, counsel may provide a call-in number to all parties participating by phone and the Court. The Court notifies the parties that any pending motions in the case that are fully briefed **WILL BE ADDRESSED** at the scheduling conference.

4. **INITIAL DISCOVERY DISCLOSURES:** Pursuant to LR 26.01(a), each party shall provide to every other party the initial discovery disclosures required under Fed.R.Civ.P. 26(a)(1) on or before **October 21, 2015.**

The Court directs the Clerk to transmit copies of this Order to counsel of record.

DATED: August 10, 2015

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE